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*Attorneys for Plaintiffs*

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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH NORTHERN DIVISION**

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MCKENZIE HUFFAKER, personally, as  
guardian of JAXON HUFFAKER and  
AUBREE HUFFAKER, and as personal  
representative of the ESTATE OF PERRY  
HUFFAKER AND SARAH HUFFAKER;  
CADEN HUFFAKER; LEROY  
HUFFAKER; KATHRYN HUFFAKER;  
GREG PAYNE; and CLAUDIA PAYNE,

Plaintiffs,  
vs.

EAGLE FUEL CELLS-ETC, INC. aka/dba  
EAGLE TECHNOLOGIES CO.

Defendants.

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**NOTICE OF NON-OPPOSITION TO  
MOTION TO DISMISS FOR LACK OF  
PERSONAL JURISDICTION**

Case No. 1:19-CV-00096 -TS - DBP

Judge: Ted Stewart

Magistrate Judge: Dustin B. Pead

Plaintiffs, by and through counsel, hereby notify the Court and counsel that they do not oppose Defendant's motion to dismiss for lack of personal jurisdiction, so long as it is clear that the dismissal is based solely on lack of personal jurisdiction over Defendant in the State of Utah, and is without prejudice to Plaintiffs filing suit in another State where there is personal jurisdiction over Defendant.

DATED this 18<sup>th</sup> day of September, 2019.

**EISENBERG CUTT KENDELL & OLSON**

/s/ Eric S. Olson  
Eric S. Olson  
Attorney for Plaintiffs

**CERTIFICATE OF SERVICE**

I hereby certify that on this 18<sup>th</sup> day of September, 2019, a true and correct copy of the foregoing **NOTICE OF NON-OPPOSITION TO MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION** was filed and served pursuant to URCP 5(b) by the method indicated to the following:

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